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CHUNG, JASON J	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/532,755	FINSETH ET AL.	
	Examiner	Art Unit	
	Jason J. Chung	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-14,16-19,26-43,45,46,49-52 and 59-64* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-14,16-19,26-43,45,46,49-52 and 59-64* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

The examiner mistakenly left off claim 14 rejection and has included the rejection as part of the non-final office action. The examiner has presented a new ground of rejection under section 103 with regard to claim 14 and all the claims that are dependent upon 14.

Applicant's arguments filed 12/30/03 have been fully considered but they are not persuasive with respect to claim 26 and its dependent claims. The applicant argues on page 14-15 of the response that Ward does not disclose a statistical counter. The examiner respectfully disagrees with this assertion. The examiner takes a broader read of the claimed invention. The applicant discloses that Ward discloses a priority counter that is page dependent as stated on page 15 of the response. The examiner views the priority counter as the statistical counter. Ward discloses the ads being assigned a priority (similarity score) and rotated every time the user views a page; when the viewer views the page for a second time the second priority (second highest similarity score) ad is displayed (page 15, paragraph [0282]); the advertisements rotating every time a user views a page again has a counter counting (statistical information) the number of advertisements that have gone through the cycle and when to start the cycle over again and the information is sent to a headend so after the set of advertisements has been shown, the ads start over again. Ward discloses the advertisements can be at the headend and downloaded to the user's site (page 19, paragraph [0331]). Thus the priority counter (statistical counter) counts the ads to make sure the same ad is not shown twice in a row and the lower priority ads are shown after the higher priority ads before the cycle restarts.

The applicant argues on page 19-22 of the response regarding the Official Notice taken by the examiner. The examiner has provided a reference to teach the limitation that was previously under Official Notice and the rejection is stated below with the newly provided reference.

The applicant argues on page 21 of the response that Sawyer does not disclose storing the ads past a predetermined lifetime. The examiner respectfully disagrees with this assertion. Sawyer discloses the subscriber preference profile may include how many times the ad was shown and if it was selected for further information and if an ad is shown a **predetermined number of times**, and not selected for further information, then it is deleted from the preference profile (column 4, lines 51-65); the ad showing a predetermined number of times reads on the **predetermined lifetime** and selecting for further information reads on the similarity score higher than a cutoff similarity score, which meets the limitation on each of the ads stored in the memory has a predetermined lifetime which identifies a time for the controller to discard the ad from the memory and wherein the controller is further adapted to retain beyond the predetermined lifetime those of the plurality of ads that have a similarity score higher than a cutoff similarity score.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 13, 14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee (US 2002/0095676 A1) in view of Graves (US Patent # 5,410,344).

Regarding claim 14, Knee discloses television distribution facility 38 distributes program guide and advertising information to user television equipment via communication paths (page 2, paragraph [0023]), which meets the limitation on transmitting program guide data and advertising data and receiving the program guide data and advertising data. User television equipment may include a set top box or television receiver. The communication paths may be a satellite link, telephone link, cable link, microwave link, etc. (page 2, paragraph [0023]). Knee discloses each channel and program has a bearing on at least one demographic category has a preselected value for each demographic category associated with it (pages 3-4, paragraph [0036]). Knee discloses the weight value WV that includes tuning to a program and watching for at least 5 minutes (page 3, paragraph [0035]), the tuning to a program reads on information that characterizes television programs, which meets the limitation on wherein the program guide data includes program information that characterizes each of a plurality of television programs. Knee discloses an interactive program guide has a user input receiver that receives user input from the user interface to determine values (page 1, paragraph [0009]).

Knee discloses the advertisements have preselected values that indicate the advertiser desire to target advertisements to users that fit a certain profile; Knee discloses two advertisements, each advertisement contains preselected values (page 3, paragraph [0031]-[0033]), which meets the limitation on wherein the advertising data includes a plurality of advertisements and advertisement information that characterizes each of the plurality of advertisements.

The program guide data and advertising data are inherently temporarily stored in memory at the users receiver prior to presenting the data to the user.

Knee discloses the weight value WV that includes tuning to a program and watching for at least 5 minutes (page 3, paragraph [0035]); the WV reads on selection history and the tuning to a program reads on information that characterizes television programs, which meets the limitation on maintaining a selection history that includes program information associated with television programs selected by the user.

Knee discloses a demographic category indicates that a user fits a category and each of the advertisements has a demographic category (page 3, paragraph [0029-0030]); the demographic category reads on attributes associated with ads. Knee discloses each channel and program has a demographic category for each of the preselected value associated with it (pages 3-4, paragraph [0036]). Knee discloses a formula that uses the preselected value (attributes associated with selection history) and the demographic category Vd(i-1) (attribute associated with the ads) and obtains a demographic category (similarity score) (page 4, paragraphs [0040-0041]), the previous value for the demographic category reads on attribute associated with each ad and the new calculated value for the demographic category reads on the similarity score which meets the limitation of calculating a similarity score for each of the plurality of advertisements received based on a comparison between attributes associated with each of the plurality of advertisements and attributes associated with the selection history.

Knee discloses the advertisements are displayed according to figure 5 (page 5, paragraph [0050]), which meets the limitation on displaying a set of advertisements fromt eh plurality of advertisements based on the similarity scores.

Knee fails to disclose storing information having a similarity score greater than a predetermined threshold similarity score and discarding information having a similarity score less than or equal to the predetermined threshold similarity score. Graves discloses programs are transmitted (column 3, lines 10-22). Graves discloses the programs are given grades (column 4, lines 6-60), which meets the limitation on similarity score. Graves discloses the incoming programs are given a grade and if the grade of the incoming program is higher than the grade of lowest of the top 10 stored programs then the program then the new program is stored in the top ten and the previously stored program is dropped (column 6, lines 18-52), which meets the limitation on storing information having a similarity score greater than a predetermined threshold similarity score and discarding information having a similarity score less than or equal to the predetermined threshold similarity score. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee to store information having a similarity score greater than a predetermined threshold similarity score and discarding information having a similarity score less than or equal to the predetermined threshold similarity score as taught by Graves in order to store only relevant information to the user.

Regarding claim 13, Knee discloses the value for the demographic category of an advertisement is met by the value of the demographic category of the user, then the advertisement is displayed (page 4, paragraph [0046]), which meets the limitation on displaying the set of ads based on the similarity scores having a score greater than a predetermined threshold score.

Regarding claim 16, Knee discloses after the demographic category (similarity score) is calculated, advertisements are targeted to users based on current user information (page 4,

paragraph [0044]). Additionally, Knee discloses selecting from either a sport utility vehicle advertisement or a beer commercial (page 3, paragraphs [0032-0033]). Knee discloses the closest or best fit of the commercials demographic category to the demographic category of the user, and the best fit is selected (page 4, paragraph [0047]), which meets the limitation on determining greatest similarity score.

2. Claims 11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in Graves in further view of Davis (US Patent # 5,559,548).

Regarding claims 11-12, Knee fails to disclose repeating the advertisement. Knee fails to disclose prioritizing the commercials and displaying the commercials in order of priority. Davis discloses repeating promotion cycles (advertisements) more frequently if they have a higher priority and displaying the rest of the promotion in descending order of priority (column 13, lines 29-45), which meets the limitation on repeating the display of an ad from the set of ads at a frequency based on the similarity score of the ad and prioritizing the ads within the set of ads for display based on the similarity scores of the ads within the set of ads and displaying the ads within the set of ads in order of priority. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Graves to have the advertisements prioritized and the higher priority commercials playing more frequently as taught by Davis so a user can be presented previews for upcoming PPV events.

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Graves in further view of Picco (US Patent # 6,029,045).

Regarding claim 17, Knee fails to disclose determining if there is enough memory for ads.

Picco discloses the set top box may store only the local content that satisfies the preselected user preferences such as advertisements about automobiles (column 6, lines 29-37). Picco discloses storing pieces of local content in the memory that match the predetermined criteria stored in the set top box (column 8, lines 7-22); before storing the local content, a determination is made to determine if there is enough memory. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Graves to determine if there is enough memory to store the ads as taught by Picco in order to utilize memory space.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Graves in further view of Picco in further view of Sawyer (US Patent # 6,084,628).

Regarding claim 18, as disclosed in claim 14 rejection, Knee discloses the ads are inherently temporarily stored. Knee fails to disclose the ads being stored for a display lifetime.

Picco discloses the set top box may store only the local content that satisfies the preselected user preferences such as advertisements about automobiles (column 6, lines 29-37). Picco discloses storing pieces of local content in the memory that match the predetermined criteria stored in the set top box (column 8, lines 7-22), which meets the limitation on lifetime. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Graves to have the ads stored longer than temporarily as taught by Picco in order to have the ads available for future use.

Neither Knee, Graves, nor Picco discloses the additional limitation of storing a predetermined number of ads with the highest score past a predetermined lifetime. Sawyer discloses the subscriber preference profile may include how many times the ad was shown and if

it was selected for further information and if an ad is shown a predetermined number of times, and not selected for further information, then it is deleted from the preference profile (column 4, lines 51-65); the ad showing a predetermined number of times is the predetermined lifetime and how many times the ad was shown reads on the similarity score. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Graves in further view of Picco to store ads with a higher similarity score beyond a lifetime and discard ads with a low score as taught by Sawyer in order to store only relevant information to the user.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Graves in further view of Ward (US 2002/0073424 A1).

Regarding claim 19, the limitations in claim 19 have been met in claim 39 by Knee and Ward rejection stated below.

6. Claims 26-34, are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Ward (US 2002/0073424 A1).

Regarding claim 26, the limitations in claim 26 have been met in claim 14 rejection.

Knee fails to disclose the additional limitation of a receiver separating the plurality of ads from the plurality of programs. Ward discloses the EPG data and advertising data us downloaded to the memory resident at the viewer's television system (page 9, paragraph [0110]). Ward discloses the EPG can select ads are that are stored in the viewer's terminal in RAM (page 19, paragraph [0331]), the EPG is separate from the advertising data and selects the advertising data that is separate from the EPG. It would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify Knee to have the receiver separate the incoming signal as taught by Ward so the EPG can select advertisements from the user's local RAM.

Knee fails to disclose the additional limitation of a statistical counter that counts the number of times an advertisement is displayed.

Ward discloses the ads being assigned a priority (similarity score) and rotated every time the user views a page; when the viewer views the page for a second time the second priority (second highest similarity score) ad is displayed (page 15, paragraph [0282]); the advertisements rotating every time a user views a page again has a counter counting (statistical information) the number of advertisements that have gone through the cycle and when to start the cycle over again and the information is sent to a headend so after the set of advertisements has been shown, the ads start over again. Ward discloses the advertisements can be at the headend and downloaded to the user's site (page 19, paragraph [0331]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee to have advertisements rotating and presented in order of prioritizing and having a counter as taught by Ward so they user can view a variety of commercials and not view the same commercial twice.

Regarding claim 27, Knee discloses three user inputs (selections) and three computations calculating each user selection (page 4, paragraphs [0042-0043); the program attributes are met by the first characterization information in claim 14 rejection.

Regarding claim 28, Ward discloses theme (category information) guides for the programs (pages 7-8, paragraph [0155]).

Regarding claim 29, Ward discloses the advertisements may consist of text (keyword and phrases) (page 19, paragraph [0331]). The titles of the program inherently consist of keywords and phrases.

Regarding claim 30, Ward discloses an ad for ESPN sports center (series information) (page 15, paragraph [0283]). Ward discloses the user watching the program ESPN (series information) (page 17, paragraph [0314]).

Regarding claim 31, Ward discloses ads for Burger King (group information) (page 18, paragraph [0323]). Ward discloses the scores for a Boston Red Sox (group information) game (page 18, paragraph [0319]).

Regarding claim 32, the attributes inherently have credits so the viewer will know who sent the advertisement and who produced the program.

Regarding claim 33, Ward discloses an ad for Toyota (name information) (page 15, paragraph [0284]). Ward discloses the user being presented different programs (name information) in EPG cells (figure 1).

Regarding claim 34, Ward discloses the advertisements may have audio clips (advertising objects) (page 19, paragraph [0331]), the audio clip points to an audio file (content object) that describes the ad in an audio file.

7. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Ward in further view of Kitsukawa (US Patent # 6,282,713).

Regarding claim 35, Ward discloses ads may be accessible through an EPG link to the Internet/World Wide Web and the ads may be audio files (ad object) (page 19, paragraph [0331]). Neither Knee nor Ward discloses HTML in a content object pointing to advertising

content. Kitsukawa discloses a television program scene with ad alers showing ad information along with program scenes (column 7, line 61-column 8, line 16). Kitsukawa discloses the advertising marks have electronic links over the Internet to web pages of the manufacturers and dealers (column 8, line 37-column 9, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Ward to have HTML linking the content object to advertising content as taught by Kitsukawa so the user can click on the advertising mark and find out more information about the product.

8. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Ward in further view of Pollack (US Patent # 5,153,580).

Regarding claims 36-37, Knee discloses a remote control interacting with the user input receiver (pages 2-3, paragraph [0027]). Knee discloses the user interfaces with user input receiver 62 and has to tune to the program for at least 5 minutes before tuning to another program in order for the selection to have a weighted value (part of selection history table) (page 3, paragraph [0035]) in order to determine the appropriate commercial as disclosed in claim 26 rejections. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee to have the lower limit be 5 minutes so the system knows the user is not skipping through channels as taught by Ward in order to use the weighted value for calculating a demographic category.

Neither Knee nor Ward discloses the upper limit of 12 hours. Pollack discloses that a user has a sleep timer function be reset and restarted in response to an indication that the user is still awake such as the user inputting functions a on remote control, the user would cause the time delay period of the sleep timer to be reset when inputting commands on a remote control

(column 1, lines 50-60). Pollack discloses the volume is gradually reduced before turning off the receiver (abstract). Pollack discloses the duration of the sleep timer is from 11:00 PM to 6:00 AM (figure 4), which is duration of 7 hours; the user leaving the TV ON without remote control interaction would cause the TV to be ON for 17 hours. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Ward to have a duration of 12 hours without user interaction to cause the TV to turn off as taught by Pollack so the viewer can gradually fall asleep with the aid of the sleep timer gradually reducing volume before turning off the receiver.

9. Claims 38-40, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Ward in further view of Buch (US Patent # 6,463,468).

Regarding claim 38, Knee discloses advertisement #2 has a preselected value of 0.7 and targeted to male viewers who are between the ages of 18-40 whereas advertisement #1 is 0.5 and targeted to viewers who make over $30,000 (page 3, paragraphs [0031]-[0033]). Knee discloses the best fit for the demographic category (similarity score) is selected based on comparison to the user demographic category (similarity score) (page 4, paragraphs (0046-0047]), which meets the limitation on calculating a similarity score and selecting based on the similarity score. Knee fails to disclose replacing the lowest similarity score with the subsequently received advertisement

Ward discloses the ads being assigned a priority (similarity score) and rotated every time the user views a page; when the viewer views the page for a second time the second priority (second highest similarity score) ad is displayed (page 15, paragraph [0282]), the previous ad is no longer high priority (high similarity score) which reads on replacing the lowest similarity score with the subsequently received advertisement.

Neither Knee nor Ward disclose replacing a stored ad having the lowest similarity score with a subsequently received ad. Buch discloses an ad pool is downloaded to a user and the oldest ad (lowest similarity score) in the pool is replaced when a new ad is received ad is replaced (column 2, line 60-column 3, line 23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Ward to replace old ads in the pool as taught by Buch to ensure a fresh supply of video ad files that will more likely hold the interest and attention of the user.

Regarding claims 39-40, Ward discloses a method of displaying a plurality of advertisements in windows 14 and 16 (figure 10A and 10B). Ward discloses the EPG can select advertisements stored at the viewer's terminal in a RAM (memory) that has been downloaded (communications link) through the VBI; the advertisements may be in the form of graphics (images) that are customizable (page 19, paragraph [0031]). Ward discloses the viewer can highlight the ad window and doing so will cause additional text describing the product or the future scheduled program to be displayed in the detail box area of the EPG grid guide (page 8, paragraphs [0163-0164] and figure 10A and 10B). Ward discloses channel ads have multiple sequential information and the additional information is indicated by an "i" icon; the user can access additional information by pressing the info button (page 13, paragraph [0246]). The user is presented the EPG display and advertising in one window (page 8, paragraph [0061]), which reads on selecting a first advertisement from the stored advertising data. The user highlighting the AD WINDOW 1 reads on image-altering signal modifying the advertisement images (figure 10A).

Regarding claim 43, the highlighted (image modification signal) channel ad has show information associated with it and the user can tune directly to the related program by pressing the left action button (page 13, paragraph [0247]); the tuning to the channel will cause the EPG area to display the program of the tuned channel and will cause the second image of the advertisement to be deleted.

10. Claims 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee in view of Ward in further view of Buch in further view of Berezowski.

Regarding claims 41-42, neither Knee, Ward, nor Buch discloses adjusting display parameters for advertisements. Berezowski discloses the promotional information region (display parameter for advertisement) can be increased or decreased while the program guide is decreased or increased respectively (column 2, lines 30-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee in view of Ward in further view of Buch to have the display parameter for the advertisement adjustable as taught by Berezowski to give the user the option of viewing more or less channels on the program guide by varying the promotional window area.

11. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Picco in view of Knee in further view of Sawyer (US Patent # 6,084,628).

Regarding claim 49, Picco discloses the set top box may store only the local content that satisfies the preselected user preferences such as advertisements about automobiles (column 6, lines 29-37). Picco discloses storing pieces of local content in the memory that match the predetermined criteria stored in the set top box (column 8, lines 7-22); before storing the local

content, a determination is made to determine if there is enough memory. Picco fails to disclose calculating a similarity score based on the recited limitations.

Knee discloses limitations in claim for similarity score have been met in claim 14 rejection. Knee discloses the threshold for the similarity score (page 4, paragraph [0046]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Picco to have the match be calculated using a similarity score as taught by Knee in order to have a more precise way of selecting an advertisement.

Neither Picco nor Knee discloses the additional limitation of storing a predetermined number of ads with the highest score past a predetermined lifetime. Sawyer discloses the subscriber preference profile may include how many times the ad was shown and if it was selected for further information and if an ad is shown a predetermined number of times, and not selected for further information, then it is deleted from the preference profile (column 4, lines 51-65); the ad showing a predetermined number of times is the predetermined lifetime and selecting for further information reads on similarity score higher than a cutoff similarity score. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Picco in view of Knee to have a predetermined lifetime for ads stored and store ads with a higher similarity score beyond a lifetime and discard ads with a low score as taught by Sawyer in order to store only relevant information to the user.

12. Claims 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Picco in view of Knee in further view Sawyer in further view of Ward.

Regarding claim 50, neither Picco, Knee, nor Sawyer discloses the limitations in claim 50. Ward discloses the user pressing the watch button which places the show in the

Record/Watch Schedule for future auto viewing, the future autoviewing may be set to once, daily, or weekly (page 13, paragraph [0247]); pressing the watch button reads on receiving a first request for info in response to a displayed ad; the request for watching the future scheduled program is stored in memory until just prior to the program being broadcast, the first request for watching the program is then retrieved from memory and transmitted to a processor (central processing station) to instruct the viewing to occur. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Picco in view of Knee in further view if Sawyer to have the first request for info for ads and storing the first request in memory and conveying the first request to a central processing station as taught by Ward in order to watch future scheduled programming.

Regarding claim 51, Ward discloses the EPG can distinguish between individual viewers and develops individual profiles by using individual PINs (uniquely identified serial number) or individual remotes (page 16, paragraph [0299]), which communicates first request to processor (central processing station) as disclosed in claim 50 rejections; the individual remotes communicate the receivers serial number along with the first request to the central processing station in order to distinguish the individual from other individuals, which meets the limitation on the receiver is uniquely identified by a serial number that identifies the location and user of the receiver and wherein a signal communicating the first request to the central processing station also communicates the receiver serial number to the central processing station.

Regarding claim 52, as disclosed in claim 50 rejections, after the request for viewing is transmitted to the central processing station, the signal is received from the central processing station that communicates the status of the first request to verify the viewing to be shown to the

proper viewer. Once the user starts viewing of the program, the user knows that the watch command has been executed, which reads on displaying a message indicating that the first request has been transmitted. As disclosed in claim 24 rejections, the autoviewing set to once will delete the first request from memory after the watch command has been executed once.

13. Claims 45, 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Picco in view of Knee in further view of Graves.

Regarding claim 45, the limitations in claim 45 have been met by the combination of Picco and Knee in claim 49 rejection. Neither Picco nor Knee discloses the system storing information with the highest similarity score when the stored information exceeds the predetermined number of maximum information. Graves discloses programs are transmitted (column 3, lines 10-22). Graves discloses the programs are given grades (column 4, lines 6-60), which meets the limitation on similarity score. Graves discloses the incoming programs are given a grade and if the grade of the incoming program is higher than the grade of lowest of the top 10 stored programs then the program then the new program is stored in the top ten and the previously stored program is dropped (column 6, lines 18-52), which meets the limitation on storing information with the highest similarity score when the stored information exceeds the predetermined number of maximum information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee to store information with the highest similarity score when the stored information exceeds the predetermined number of maximum information as taught by Graves in order to store only relevant information to the user.

Regarding claim 46, Knee discloses a remote control that interfaces with input receiver 62 (pages 2-3, paragraph [0027]). Knee discloses the user inputs are received by receiver 62 and can tune (select) to television programs (page 3, paragraph [0034]).

14. Claims 59-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee (US 2002/0095676 A1) in view of Knee (US Patent # 5,589,892).

Regarding claim 59, the limitations in claim 59 have been met by Knee (US 2002/0095676 A1) in claim 14 rejection. Knee fails to disclose receiving user request associated with ads.

Knee (US Patent # 5,589,892) discloses a product or service ordering system is presented by presenting a commercial and the user can order a brochure (column 40, line 42-column 41, line 16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Knee to have the advertisement have user requests as taught by Knee so the user can order products after viewing the commercial.

Regarding claims 60-62, Knee (US Patent # 5,589,892) discloses a product or service ordering system is presented by presenting a commercial and the user can order a brochure (column 40, line 42-column 41, line 16), which meets the limitation on at least one of an order to purchase one of a product and a service associated with the one or more advertisements and an order screen to request one of a brochure and a sample associated with the one or more advertisements and receiving one user request associated with the ads from the user. Knee (US Patent # 5,589,892) discloses in a two-way system, the user request can be sent back on a return channel to the head end (column 39, lines 4-40).

Regarding claims 63-64, Knee (US Patent # 5,589,892) discloses in a two-way system, the user request can be sent back on a return channel to the head end (column 39, lines 4-40). Knee (US Patent # 5,589,892) discloses the user is presented with a screen to review and confirm the order (column 37, lines 10-41), which meets the limitation on receiving an acknowledgement from a processing site in response to a transmission of at least one user request responsive to the request information. Knee (US Patent # 5,589,892) discloses a screen may be used where the user has previously entered information to input all the information for use in the product ordering service (column 37, lines 42-50), which meets the limitation on displaying status information in response to at least one user request.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJC

VIVEK SRIVASTAVA
PRIMARY EXAMINER